

Oct 23 – Irving Pulp: What This Supreme Court Decision Means for Your Alcohol & Drug Testing Program



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About This Webinar:

OHS lawyer Reagan Ruslim presented a session at the OHS Summit 2012 on the current state of the law on drug and alcohol testing in Canada.

The recent decision of *Irving Pulp & Paper Ltd. v. Communications, Energy and Paperworkers Union of Canada, Local 30* (2013 SCC34) has brought the topic of drug testing in the workplace back into the spotlight.

The Supreme Court of Canada just issued its long-awaited decision on the validity of Irving Pulp's random alcohol testing policy at its paper mill. The Court struck down this policy, ruling that any safety benefits from the policy were outweighed by its harmful impact on workers' privacy.

Ross Dunsmore and Reagan Ruslim will be speaking on the issue of drug testing in the workplace by analyzing the recent decision of the Supreme Court. In addition to examining the Irving Pulp and Paper decision, they will also be speaking about their own experiences regarding this serious topic. To further illustrate some of the legal, managerial, privacy and safety issues that arise when an employer is considering implementing a drug testing program, Ross and Reagan will also discuss the decision of *Navistar Canada, Inc. v. CAW, Local 504 (Substance Abuse Grievance)* (195 L.A.C. (4th) 144). Ross and Reagan were Counsel on this file.

By comparing and contrasting these two decisions, Ross and Reagan will discuss the considerations, approaches and strategies employers should consider when trying to use drug testing as a possible means for improving safety of the workplace.

Copies of both decisions will be available prior to the presentation.

Download a Model Drug and Alcohol Testing Policy Form [here](#).

About the Presenters

Ross Dunsmore specializes in change management, reorganization and amalgamation. He has worked with many employers on procedures to avoid third party intervention. His practice encompasses analysis and resolution of work place disputes from grievances and human rights complaints to wrongful dismissals. His focus is economical strategies to avoid expensive disputes.

Ross obtained his B.A. from McGill University in 1970 and his LL.B. from Queen's University in 1973. He joined a large labour firm as a law student in 1973 and was admitted to the bar in 1975.

Throughout his distinguished career, Ross has practiced exclusively management labour relations law and is well-known in the field. In 2006, Ross Dunsmore opened his own law practice, Dunsmore Law, after thirty years as a senior partner at a large labour firm. Ross Dunsmore continues to be a sought after lecturer across Ontario.

Ross is a past Chair of the Toronto Board of Trade, a former Governor of Ridley College and the founding Chair of the Jozo Weider Ski Club at Blue Mountain. Presently, he is the General Manager of the Ontario Blue Jays Baseball Club, which seeks to place gifted Ontario athletes on university scholarships.

Reagan R^xuslim is a Chartered Accountant (C.A.), a Certified Public Accountant (C.P.A.) (New Hampshire, U.S.A.) and a Chartered Global Management Accountant (C.G.M.A.). He is also a lawyer who practices in the areas of labour, employment, human rights and OH&S law. Reagan is also a Certified Human Resources Professional (C.H.R.P.).

Reagan graduated with a Bachelor of Business Administration (Honours, Co-Op Option) from Wilfrid Laurier University in 1999. Upon his graduation, he joined Deloitte LLP where he earned his three accounting designations. After several years practicing public accounting, Reagan attended law school at the University of Western Ontario. He graduated in 2006 and was called to the Bar in 2007.

Reagan has been associated with Dunsmore Law since 2009.

He is currently completing his Masters of Law (LL.M) part-time, at Osgoode Law School. His current research relates to employers' rights and responsibilities with respect to psychological safety in the workplace.

In his spare time, Reagan likes to try and re-live his youth by snowboarding and skateboarding. Reagan is also trying to become a better golfer.

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